

AN ORDINANCE AMENDING AND REENACTING CHAPTER 64X, AND AMENDING AND REENACTING SECTION 60.327 OF THE ROCHESTER CODE OF ORDINANCES, AND REPEALING ORDINANCE NUMBER 4284 RELATING TO THE ESTABLISHMENT OF THE CHATEAU CIRCLE SPECIAL DISTRICT.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Chapter 64X of the Rochester Code of Ordinances is hereby amended and reenacted to read as follows:

64X. CHATEAU CIRCLE SPECIAL DISTRICT

64X.100. The purpose of this Special District is to provide for zoning regulations that shall be administrated in the Chateau Circle Special District, as required in Section 62.900 of the Rochester Code of Ordinances (City of Rochester Zoning Ordinance and Land Development Manual). This chapter contains the special regulations of the Chateau Circle Special District.

64X.150 BOUNDARIES OF THE LAND.

This ordinance shall apply to the following described property located within the City of Rochester, County of Olmsted, State of Minnesota:

[Lots 1-4](#), Block 1, Lot 1, Block 2, and Outlot A “Chateau Circle [Second](#)”.

Containing 8.16 acres more or less.

64X.200. LEGISLATIVE INTENT AND FINDINGS.

Subd. 1. Chateau Circle provides an alternative to conventional commercial zoning by establishing a unique set of architectural controls and site design criteria that promotes good intra-site relationships and aesthetically pleasing design.

Subd. 2. This Special District is established to foster the development of a comprehensively planned, pedestrian-oriented, and neighborhood compatible commercial development. This is accomplished by the use of skillful architectural and landscape design, pedestrian accessibility, good internal vehicular circulation, and building orientation so the primary entrance faces the interior of the site.

64X.210. ESTABLISHMENT OF CHATEAU CIRCLE SPECIAL DISTRICT.

Subd. 1. Pursuant to section 62.900, the Rochester Common Council hereby creates a special zoning district to be known as the Chateau Circle Special District ("Special District"). The Special District shall be an overlay-zoning district designed to encourage the attractive and compatible development of the Site. The regulations and guidelines set forth in this Special District shall prevail over the regulations of the noted underlying zoning district.

Subd. 2. The determination of the need for the creation of this Special District is based upon the following findings or land use principles:

- A. This type of redevelopment is ideal to create as an infill project that provides for a more compact commercial development adjacent to a major roadway which is consistent with the designated commercial land use and buffers the residential neighborhood from the negative impact of a major thoroughfare.
- B. Establishing a unique set of architectural controls and site design criteria that promote good intra-site relationships and aesthetically pleasing design.
- C. This special district is established to foster the development of a comprehensive-planned, pedestrian-oriented, and neighborhood compatible commercial development. This is accomplished by the use of skillful architectural and landscape design, pedestrian accessibility, good internal vehicular circulation, and building orientation to 55th Street NW.
- D. Chateau Circle is within the city's Urban Service Area and is located between West Circle Drive (urban expressway) on the south and Villa Road (local collector) on the north. Reorientation and widening of Chateau Road is planned to occur with the project. Villa Road NW will also be improved to collector status to include pedestrian facilities. All perimeter streets will have bicycle pedestrian trails or sidewalks adjacent to them.
- E. Chateau Circle uses landscaping to accentuate and integrate the natural and built environments, establish visual connectivity and community identity and provides environmental and public health benefits.

- F. The quantity, location and design of parking in Chateau Circle reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic.

64X.220. **UNDERLYING DEVELOPMENT STANDARDS**

Subd. 1. Except where otherwise specified, standards for the development of this district shall be based on the B-1 Commercial District.

64X.230. **SUBDISTRICT REGULATIONS**

Subdivision 1. Commercial District.

Subd 2. Neighborhood Commercial District: The neighborhood commercial district permitted uses and appearance control standards shall comply with Section 62.310 for the B-1 zoning district unless otherwise provided in this special district.

- A. Site Development Plan: The site plan shall go through a review by City's site development plan review process. A site development plan review is required as specified in section 61.580.

- B. Walkways: Walkways and walkway connections to adjacent lots and street frontages shall be constructed with the development of each lot in the general locations shown on the Special District Plan. Final walkway locations and design shall comply with the standards of this section.

- (1) Type A walkways are intended to connect developments within Block 1. Type A walkways shall have the following characteristics:

- (a) A minimum width of 8 feet;
- (b) Placement along the front-facing building façades of buildings within Lots 2 through 4 in Block 1;
- (c) Provides connection to the main public pedestrian access for each development within Block 1; and,

- (d) Provides a contiguous pedestrian system through all lots within Block 1.
- (2) Type B walkways are intended to connect surrounding street frontages to Type A walkways. Type B walkways shall have a minimum width of 6 feet.
- (3) A paved open space is required for each lot within Block 1. Required landscaping along the perimeter of the open space may be considered as part of the required open space. Open spaces shall meet the following requirements:
 - (a) A minimum area of 400 square feet within Lot 3 in Block 1, 600 square feet within Lot 2 of Block 1, and 1,000 square feet within Lot 1 of Block 1.
 - (b) The open space shall be located adjacent to a Type A or Type B walkway and shall be grade-separated from parking areas and driveways.
 - (c) A minimum dimension of 15 feet.
 - (d) The open space area shall not include a required Type A or Type B walkway.
 - (e) Each open space shall contain at least 10 square feet of seating area (bench, ledge, etc.) or five individual seats.
 - (f) If additional lots are created in the future through a re-subdivision of a lot or lots, the required open space shall be a pro-rata share based on lot size.
- (4) Separation and landscape areas must satisfy one of the following:
 - (a) Driveways and parking areas within a buildable envelope shall be separated from Type A walkways by a minimum 4 foot wide landscape area to be planted with a continuous row of landscape materials to be defined as perennials, ornamental grasses, shrubs,

ornamental trees. Turf grass is not landscape material; or

- (b) Type A walkways and open spaces adjacent to a building façade shall be separated from the building façade by a minimum 4 foot wide landscape area to be planted with a continuous row of landscape materials (defined in #4 above). Breaks in the landscape area are permitted for building entrances, amenities including but not limited to seating and bicycle parking, or as required by Rochester City Departments. The landscape area shall occupy a minimum of 50% of the façade length along a walkway or open space.
- (5) Open spaces and Type B walkways shall be separated from adjacent driveways or parking areas by a minimum 4 foot wide landscape area to be planted with a continuous row of landscape materials (defined in #4 above). Breaks in the landscape area are permitted for driveway crossings, pedestrian access to parking areas, or as required by Rochester city departments.
- (6) Walkways shall cross driveways at 90 degree angles, or as permitted by Rochester City Departments if a 90 degree crossing is not possible.
- (7) Type A walkways shall not be separated from building facades by a driveway or parking area.
- (8) Except for driveway crossings, walkways shall be grade-separated from parking areas and driveways.
- (9) [If additional lots are created in the future through a re-subdivision of a lot or lots, the landscaping required shall be in accordance with the criteria of section 4 and 5 of Subdivision 2.B.](#)

C. Site Standards:

- (1) Parking shall be on the front or to the side of the buildings.

- (2) A minimum building height of 16 feet is required for medical facility and office uses. All other uses shall have a minimum 20 foot building height. The maximum height for all structures is 35 feet. Parapet walls shall be used to help screen rooftops and shall be a minimum of two feet in height and a minimum of one foot higher than the tallest piece of roof-top equipment.
- (3) All structures shall be placed entirely within the buildable envelopes shown on the special district plan.
- (4) Underground parking shall be allowed.

Subd. 3. Permitted Uses: The uses are limited to the following:

A. Permitted Uses:

- (1) Office Use
- (2) Personal Service
- (3) Business Service
- (4) Educational Services
- (5) Medical Facilities
- (6) Nursing and Personal Care
- (7) Veterinary Service and Animal Specialties
- (8) Repair and Maintenance
- (9) Auto Maintenance Services
- (10) Retail Trade
- (11) Neighborhood Retail
- (12) Convenience Retail – no fuel sales
- (13) Business Center
- (14) Standard Restaurants

(15) Neighborhood Food Sales and Service

(16) Fast Food

(17) Retail Agricultural

(18) Drive-in Facilities

(19) Daycare Facility

(20) Multi-Family for Seniors

B. Permitted use exception: Standard Restaurants and Fast Food uses will not be permitted on Lot 1, Block 2.

C. Additional uses permitted in the Special District shall be as follows:

(1) Temporary Uses – art fairs, farmers’ market, flea markets, neighborhood gatherings, nursery. No exterior storage will be allowed except for temporary uses or special sales events by the tenants.

Subd. 4. Limitation of Permitted Uses:

A. The hours of operation are 5:00 a.m., until 11:00 p.m.

B. Up to four drive-in facilities shall be allowed to be located on the site within the Chateau Circle Special District. Each drive-in facility shall comply with the stacking requirements of the B-1 zoning district. Each driveway dedicated to a drive-thru shall be located within the building envelope within Block 1 and within Block 2 which will be further refined through future site development plans, and shall not cross a required walkway more than once.

C. The hours of operation for truck deliveries to all businesses within the Special District shall be limited to 7:00 am to 7:00 pm.

Subd. 5. Lot Development Standards

A. Facilities for tenant refuse disposal and recycling shall be contained within each building proposed in the Special District Plan for use by each business and its employees.

External refuse receptacles (trash cans) will be provided along the primary façade of buildings or patio areas within Block 1 to collect refuse from the general public.

- B. Utility boxes, water backflow prevention, meters, electrical boxes, air conditioners, and other utilities shall be screened from view by the adjacent residential neighborhood, adjacent properties, and rights-of-way using a permanent fence, wall, or landscaping to the extent that it is not prohibited by local utilities.
- C. Primary façades shall be oriented to face the interior of the site, West Circle Drive, or Chateau Road. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. Restaurants shall be permitted to operate outdoor cafes on patios provided that required pedestrian walkways and access to store entrances are not impaired.
- D. Bicycle-locking stands are required in neighborhood commercial area. Each development shall provide a minimum of one bicycle parking space for every 1,500 square feet of gross leasable area within Block 1. Bicycle parking shall not be placed in a location that would permit parked bicycles to encroach into required walkways.
- E. Street trees are required along the public streets at a minimum spacing of 35 feet on center. These trees shall be planted in planting beds with a minimum size of 30 square feet and a minimum horizontal dimension of five feet.
- F. Bufferyards shall be provided as shown on the Special District Plan and the other Special District Exhibits. The bufferyards shall meet or exceed all of the minimum standards of section 63.260. Privacy fences shall comply with section 63.265, subd. 3.
- G. The maximum allowable size of the neighborhood commercial structures, collectively, shall not exceed 81,500 square feet of gross leasable floor area. The size and intensity of the allowable uses noted in subdivision 3 of this section, is limited by the [trip generation in the Technical Amendment, dated July 12, 2017 to the approved Supplemental #2, to maintain an overall operation of Level of Service C for the intersection of Chateau Road and 55th](#)

Street NW. The Technical Amendment determined that a Level of Service C will be maintained with 1200 trips in the AM and PM peak hours. A request for a use or uses that will exceed the vehicle trip limitations of the Technical Amendment that causes the intersection of Chateau Road / 55th Street NW to operate at a level of service less than C shall require an amendment to the traffic study and must be reviewed by City Public Works and approved by the Common Council before said use or uses are permitted. A Type III, Phase II application and procedure is required for an amendment to the Traffic Study and Special District Plan.

- H. A 25 foot wide two way drive aisle shall be provided along the perimeter of the building envelopes in Block 1 as shown on the Special District Plan.
- I. The property can be subdivided to change the lot lines from what is shown on the final plat.
- J. Re-Subdivision of Property: Re-Subdivision of the existing lots may occur in the future. A re-subdivision of an existing platted lot or lots shall not require an amendment to the Special District.

Subd. 6. Parking

- A. Parking requirements for the Neighborhood Commercial District shall use business center parking standards of the Rochester Zoning Ordinance and Land Development Manual.
- B. Parking Lot Screening: All parking areas not screened by the building from public roads, must be screened with a hedgerow along Villa Road and with plantings along Chateau Road and 55th Street as shown on the Special District Plan. These landscape areas must be a minimum of four feet wide unless grades require a larger width to maintain slopes of 3:1 or shallower. Hedgerows should be planted at a maximum of four feet on center and should reach a minimum height of three feet and a maximum height of six feet.
- C. Reciprocal parking agreements shall be created for Lots 1-3, Block 1, so businesses on these Lots shall have the abilities

to drive and park on both lots. Cross access agreements for ingress and egress shall apply to Lots 1 - 4, Block 1.

Subd. 7. Parking Lot Landscape

- A. Parking areas shall have internal landscaping at the ends of each row of parking.
- B. Parking areas facing West Circle Drive shall have a minimum ten feet wide landscaped area between the parking spaces or drive aisles and the property line except where bike trail encroaches.
- C. At least one canopy tree or two understory trees (minimum size for canopy trees in 1- 1/2" caliper and minimum size for understory tree is one inch caliper) shall be planted for each island. The landscape islands shall not be used for snow storage and any planting must be maintained in a healthy condition and appearance. These areas may be depressions or rain gardens to temporarily store rainwater. These areas may contain external standard lighting fixtures.

Subd. 8. The Chateau Circle property owners shall be responsible for the repair and maintenance of service drives, parking lots, entry roads, and landscaping constructed on the property.

Subd. 9. Landscape Standards

- A. The density and approximate location of landscape trees and shrubs shown on the Landscape Plan shall be the basis for the landscape requirements in this District, and as required by this ordinance. In addition, landscaping along walkways and building facades is required as described by Subdivision 2 of this ordinance.
- B. The bufferyard area along the west side of Lot 1, Block 1; the north side of Lots 1-4, Block 1, and the east and north side of Lot 1, Block 2, shall be provided and installed in accordance with the bufferyard plans as shown on the Special District Plan, the Landscape Plan exhibit, and on exhibits D, D-1, and D-2 of this Special District. The bufferyards shall meet or exceed all of the minimum standards of section 63.260.
- C. Bufferyard D-2: There are existing mature trees along the east property line within the bufferyard of Lot 1 Block 2.

Every attempt will be made to save these trees. However, where it is not possible to save the existing trees due to grade, disease, or other circumstance's the trees that are removed shall be replaced with a minimum 4" caliper tree.

Subd. 10. Community Open Space

- A. Community Open Space for use by the tenants of the Business Center and general public shall be located on Outlot A of this Special District as shown on the Special District plan.
- B. The space shall be for the quiet enjoyment of the patrons and staff of the business in the center and the general public.
- C. The property owners shall own, manage, maintain, operate, and repair all facilities in the Community Open Space.

Subd. 11. Architectural Standards

- A. Standards for all uses:
 - (1) Primary facades shall provide modulation of the façade plane at least every 40 feet of façade length. All other building facades shall provide façade modulation at a minimum of every 200 feet. Wall offsets shall have a minimum depth of two feet.
 - (2) Orientation of Building to Street: Buildings shall be oriented so that primary entrances face the interior of the site or West Circle Drive. Primary entrances shall be defined by scale and design detail and should be covered by a canopy or awning.
 - (3) Mechanical equipment, electrical and communication transformers, cabinets and service areas shall be located out of public view where feasible or screened from view by the adjacent residential neighborhood with fences, walls, or landscaping. The residential homes on the adjacent lots to the north are at a higher elevation than the proposed development. As such, roof mounted equipment shall be screened from view by persons standing at those residential homes, using the parapet walls, or other permanent materials similar, consistent, or complementary in appearance

with the main building facade materials and facade treatments.

- (4) All sides of the building façade shall be designed to provide architectural and visual interest. Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials.
 - (a) A minimum of 50% of the building along the primary façade between 2 feet and 8 feet in height must be clear or lightly tinted windows, doors or other treatment that are sufficiently transparent to provide pedestrian views into the building.
 - (b) Where buildings front the interior parking areas the following shall be required on the façade:
 - (1) Each use shall have a door with at least 50% glass.
 - (2) Each door shall have a canopy or other overhang with a minimum depth of four feet.
 - (c) Awnings, covered walkway, open colonnades, or similar weather protection must be provided on at least 50% of the primary facade side of the commercial uses.
 - (d) Doorways, windows and other openings in the facade of a building shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at street level.
 - (e) For each building, the predominant building material on the front façade shall also be the predominant building material on all other façades. Exterior materials shall include brick, architecturally treated concrete, stone, tile, stucco-like panels, decorative block, other cultured stone, natural stone or exterior finish and insulation system (EIFS) shall be used for

a minimum of 75 percent of all façades excluding windows from the calculation.

(f) Restaurants shall be permitted to operate outdoor cafes on sidewalks or patio areas. Patio areas must be included in floor areas or capacity calculations and a part of the vehicle trip limitations specified in the approved traffic study. Outdoor cafes shall not encroach into required walkways.

(g) Benches, planters, landscaping for building entry areas are permitted, but shall not encroach into required walkways.

(5) The building on Lot 1, Block 2 may have a pitched roof line.

(6) Interior demising walls of each building can be adjusted to meet the lease demands of each tenant.

Subd. 12. Exterior Lighting. Only light sources with full cut-offs are allowed. All lighting shall be directed away from off-site residential areas. See section 63.213(3).

A. External Light Standard shall be Type B for Block 1 as defined in section 63.213(3) "Luminaires with total cutoff less than 90-degrees."

B. The external light standards for Lot 1, Block 2 shall be Type A as defined in section 63.213(3) "Luminaires with total cutoff less than 90-degrees."

C. All wall pack lighting shall be downward directed.

D. Signs that are lighted shall operate during the specified business hours only.

E. Spot lights, other than spot lights illuminating a monument sign, are not permitted. Permitted spot light bulbs shall not be visible to the neighborhoods to the north, east, and west.

Subd. 13. Signs

A. Signage type details and specifications shall comply with the standard of the B-1 district unless otherwise specified in this

text. Signs should add interest to the street level environment. They can only unify the overall architectural concept of the building, or provide unique identity for a commercial space. Signage shall be appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and vehicles on streets. The following sign types satisfy these requirements:

- (1) Pedestrian-oriented projecting (blade) and window signs.
- (2) Marquee signs and signs on overhead weather protection.
- (3) Neon signs complying with the Land Development Manual for building facade sign.

B. Type B general sign standards shall be used with the following modifications:

- (1) Free standing sign- maximum height 20 feet.
- (2) Projecting sign – maximum area – 20 square feet, maximum height – 12 feet.
- (3) Graphics sign – maximum area of 10% of wall and may be painted directly on building facade.
- (4) Auxiliary sign- maximum height- six feet.
- (5) Billboards shall be prohibited.
- (6) All wall signage should be compatible with other signs and architecture. Signage shall be allowed on two sides of buildings.
- (7) Roof signs shall be prohibited.

C. Type B sign Detailed Standards shall be used with the following modifications:

- (1) Free standing signs
 - (a) Directional signs:

- (1) Maximum four directional signs per tract. Additional traffic directional signs may be allowed for the safe and orderly flow of traffic upon the written approval of the Planning Department staff.
 - (2) Setbacks shall match the setbacks of the principal building.
 - (3) Single-faced signs shall be set parallel to the front building lines.
 - (4) Double-faced signs may have two faces which are parallel to each other and set perpendicular to the front building lines.
 - (5) Sign size and location:
 - (a) Not to exceed four square feet measured from grade at sign location to top of highest point of sign and from maximum dimension side to side.
 - (b) Maximum height not to exceed three feet measured from grade at sign location to top of highest point on sign and from maximum dimension side to side.
 - (6) All free standing signs shall be located in the areas as shown on the Special District Plan which are located in the southerly one-third of the site.
- (b) Monument signs:
- (1) Maximum one monument sign per entrance to the Business Center.
 - (2) Monument signs shall be set back a minimum of six feet from all property lines.

- (3) Double-faced signs may have two faces which are parallel to each other and set perpendicular to the property line.
- (4) Sign size:
 - (a) Not to exceed 36 square feet. The square footage is measured from grade at sign location to top of highest point on sign and from maximum dimension side to side.
 - (b) Maximum height not to exceed six feet, six inches measured from grade at sign location on top of highest point on sign and from maximum dimension side to side.
 - (c) In addition, drive-in merchandising businesses shall be allowed informational signage (menu, price, etc) as monument and/or mounted signs not exceeding 32 square feet in total gross surface area.
- (5) The portion of the monument sign used for changeable copy shall not exceed 16 square feet.
- (c) All free standing signs shall be located in the areas as shown on the Special District Plan which are located in the southerly one-third of the site.

2. Façade signs

- (a) Marquee signs
 - (1) One marquee sign is permitted for each facade visible from internal parking lot or facing West Circle Drive or Chateau Road NW.

- (2) Marquee signs shall be used primarily to list tenants and/or occupants of the building to which it is applied.
- (3) Marquee signs shall be aligned with the plane of the façade.
- (4) Marquee signs shall be located at or near building corners or at the entrance of a building.
- (5) Marquee signs shall not obscure or cover transom windows, any upper floor windows, piers or architectural features except those specifically designed to receive signs.
- (6) Sign size must not exceed 12 square feet as measured from the lowest point on sign on top of highest point on sign and from maximum dimension side to side.
- (7) Projection from façade not to exceed six inches.

(b) Wall signs

- (1) One mounted wall sign is allowed for each facade visible from internal parking lot or facing West Circle Drive or Chateau Road NW. Sawtooths, projections and short lengths of wall shall not be considered as a major facade.
- (2) Mounted wall signs may be applied to any façade.
- (3) Mounted wall signs may not obscure or cover windows, piers or architectural features except those specifically designed to receive signs.

- (4) Bottom of mounted sign must be a minimum of seven feet, six inches above the street level.
- (5) Sign size:
 - (a) Ten percent of the wall areas.
 - (b) Maximum size shall not exceed 120 square feet.
 - (c) The portion of the mounted signs used for changeable copy shall not exceed 16 square feet. These signs shall not face Villa Road.
- (6) Projection from the façade may not exceed six inches.
- (7) Signs may be painted directly on the building facade.
- (c) Sun Canopy/Awning Signs
 - (1) Signage may be incorporated onto awnings applied to any facade.
 - (2) Size of signage applied to awnings shall be an additional 10% or 120 square feet, whichever is smaller.
 - (3) Lettering and graphics shall be applied flat to awning skirt or awning face only, and shall not extend horizontally or vertically beyond it.
 - (4) Maximum of one sign per canopy or awning permitted.
- (d) Hanging and Projecting Signs
 - (1) One hanging or projecting sign is allowed per tenant per façade.

- (2) Hanging signs shall be set perpendicularly to the facade and hang from a top support.
 - (3) Projecting signs shall be set perpendicularly to the facade and are supported at the top, bottom or on the face of the sign only.
 - (4) Hanging or projecting signs when used shall be placed above or near entrances, or in a locator which is consistent with the façade.
 - (5) Bottom of hanging or projecting signs shall be a minimum of eight feet above the ground level and no higher than 12 feet above the ground level.
 - (6) Hanging or projecting signs may be set on building corners at 135 degrees to each façade.
 - (7) Sign face size must not exceed four square feet per side.
 - (8) Projection from façade:
 - (a) Sign and apparatus shall project no greater than four feet from façade.
 - (b) Sign and apparatus may extend beyond building setback line, but no greater than the closer of four feet or the back of curb.
- (e) Window Graphics
- (1) Lettering and graphics, when used, shall be applied to glass only.
 - (2) The combined total square footage of lettering and graphics applied to a window shall not exceed 30% of the clear glass size.

- (3) Neon signs shall be placed on the inside face of glass only.
- (4) Neon signs are limited to a maximum size of four square feet.
- (5) Neon used within the structure is not restricted.

3. Flags

- (a) Permitted flags shall be limited to those of governmental entities, including nations, states and agencies or the display of corporate logos.
- (b) Flagpoles are allowed on any façade or on the ground.
- (c) Flagpoles may be parallel or perpendicular, vertical, or set at an angle to the façade.
- (d) A maximum of three flags are allowed per building and shall be located on a single façade.
- (e) Bottom of flag shall be a minimum of eight feet above the adjacent grade/sidewalk.
- (f) Height of flagpole shall be no higher than the building it serves. Maximum height shall not exceed 35 feet.
- (g) Projection from façade:
 - (1) Flag, when extended, and apparatus shall project no greater than six feet from facade.
 - (2) Flag, when extended, and apparatus may extend beyond building line but no greater than the closer of four feet or the back of the curb.

- (h) Flag size:
 - (1) Not to exceed 24 square feet per face.
 - (2) Maximum height not to exceed five feet.

4. Sandwich Signs:

- (a) Maximum one sandwich sign per leased space or business.
- (b) Sandwich signs shall have two faces and be connected at their top.
- (c) Sandwich signs shall be located at or near the entrance of a building.
- (d) Sandwich signs shall not obscure or cover patio furniture or landscaping.
- (e) Sandwich signs shall not block more than one-half of the sidewalk travel space.
- (f) Sandwich signs shall be rectangular and of a vertical proportion.
- (g) Sign size shall not exceed 15 square feet per face measured from the sidewalk grade to top of highest point on sign and from maximum dimension side to side.
- (h) Maximum height not to exceed four feet, six inches measured from the grade on which the sign sits.

5. Other Signs

- (a) Temporary signs announcing or advertising any educational, charitable, philanthropic, civic, grand opening, leasing or religious event shall be permitted for a period not to exceed 21 days preceding the event and shall be removed within five days following the event. The location of such signs shall be limited to the boundaries of the property where the event is to take place. Signs can be two faced each

face not more than 32 sq. ft. in gross surface area, so long as the internal angle between the two faces does not exceed 60 degrees. A sign permit from the City is required.

- (b) Temporary all-weather banners shall be allowed on designated light standards within the parking lot. Such banners shall each be limited to a total gross surface area of six square feet and be in compliance with section 63.2241. Banners shall not be allowed to face Villa Road.

- D. Lighted signs are not permitted north of the buildings within the Special District, and lighted signs shall not face Villa Road, except for menu boards or signs specifically required by the city. All menu boards shall be screened from view by the residential neighborhood to the north using walls, permanent fences or landscaping. Lighted signs east of Chateau Road shall not face the east property line, and lighted signs on the westernmost lot within the special district shall not face the west property line, except those free standing signs permitted in the southerly one-third of the site as shown on the Special District Plan.

Subd. 14. Outdoor Storage. Outdoor storage shall not be permitted.

64X.300. **BOUNDARIES**

The regulations established herein shall apply to the land described in Section 64X .150 and shall be designated "SD" on the zoning map.

64X.400. **EXHIBITS**

The following documents shall be submitted with the Special District application and included as exhibits of this Ordinance:

Exhibit A: Chateau Circle Special District Plan

Regulatory plan for the development of the special district showing locations for structures, parking, walkways, landscaping, etc.

Exhibit B: Chateau Circle General Development Plan

Layout of public infrastructure within the special district.

Exhibit C: Street Types and Cross Sections

Street sections for Villa Road and Chateau Road

Exhibit D: North Bufferyard

Conceptual bufferyard layout along Villa Road

Exhibit D-1: West Bufferyard

Conceptual bufferyard layout along the west property line of Block 1

Exhibit D-2: East Bufferyard

Conceptual bufferyard layout along the east property line of Block 2

Exhibit E: Landscape Plan and Monumentation

Conceptual landscape plan for bufferyards and boulevard trees within the special district boundary

Exhibit F: Pedestrian Circulation and Connection to Public Streets

Driveway and pedestrian connection locations to surrounding street frontages.

64X.500. GENERAL DEVELOPMENT PLAN AND GUIDE FOR DEVELOPMENT

The Chateau Circle General Development Plan, following Special District approval and a rezoning of the area to Special District, together with the attached Exhibits A, B, C, D, D-1, D-2, E, and F are, in combination, recognized as the guide for the development of the Special District.

64X.600. EFFECTS OF REGULATIONS

The General Development Plan and Final Plat together with the conditions and restrictions imposed, if any, shall govern the use and development of the land. In the event there should be a discrepancy or conflict in the language within previous Special District ordinances, the language applicable to section 64X.230 shall govern.

64X.700. EXTENSION OF SPECIAL DISTRICT

An amendment to the Special District may be initiated by the owner of contiguous undeveloped property or by the City of Rochester. The amendment must support the intent of this Special District. A petition to extend said district shall be accompanied by a General Development Plan application and additional submittals consistent with this chapter.

64X.800. DEVELOPMENT PROCEDURES

Subdivision 1. Except as herein described, development procedures for property within the Special District shall be consistent with the requirements of the Rochester Zoning Ordinance and Land Development Manual.

Subd. 2. Additional plans and information shall be submitted, as necessary, for development within the Special District, as outlined below. If determined necessary by the Zoning Administrator, additional plans or information necessary for development approvals shall also be submitted.

Subd. 3. Site development plans shall be reviewed using section 61.580 through a Type I review.

Subd. 4. Final Plat Application. Final plat applications within the Special District shall include plans and information consistent with the requirements of this Code and shall be submitted at least three weeks prior to the City Council meeting at which they will be considered. If requested by the Zoning Administrator, additional information needed in order to judge the nature and propriety of the proposal shall also be submitted.

Subd. 5. Zoning Certificate and Building Permit. Applications for building permits and zoning certificates within the Special District shall include submission of a site development plan. This document must verify a review of building locations and plans for compliance with this Special District's intent as outlined in the covenants submitted with the final plat.

Subd. 6. Staff Authorized Changes to the Special District. Staff authorized changes may be permitted in accordance with the standards set forth in section 61.148. Changes that exceed the standards of section 61.148 will be subject to approval by a Type III, Phase II procedure.

64X.900. **RESCINDING APPROVAL.**

Subdivision 1. After six years from the date of approval of the Special District, the Council may, following a public hearing, rescind approval of this Special District upon finding that no progress has been made in the construction of the development.

Section 2. Section 60.327 of the Rochester Code of Ordinance is amended and reenacted to read as follows:

60.327 SD SPECIAL DISTRICTS: Existing Special Districts approved by Ordinance numbers 3443, 3404, 2726, 2516, 2247, 3385, 3468, 3497, 3503, 3520, 3534, 3604, 3615, 3691, 3730, 3814, 3889, 3919, 4003, 4122, 4194, 4208, 4236, 4255, 4264, and 4284 are recognized as separate zoning districts and the plans and procedures established for each Special District will continue in force. When a Special District Ordinance does not specify the procedure or criteria to amend an approved site development plan, the proposed amendment will be reviewed under section 61.148. When a Special District Ordinance requires a specific site/development plan review process, but does not specify the criteria by which to review the site/development plan, the development will be reviewed under section 61.148. When a

Special District Ordinance requires a two-phase review, the development will be reviewed under section 61.146 and either section 62.708 (1) (for preliminary plans) or section 62.708 (2) (for final plans).

Section 3. Ordinance number 4199 is hereby repealed.

Section 4. This Ordinance shall become effective on and after the date of its publication.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____ DAY OF _____, 2017.

PRESIDENT OF SAID COMMON COUNCIL

ATTEST: _____
CITY CLERK

APPROVED THIS _____ DAY OF _____, 2017.

MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Ord15/64X